

**IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION**

CIVIL NO. 1:06CV20

STATE OF NORTH CAROLINA)
***ex rel.* Attorney General Roy Cooper,**)

Plaintiff,)

VS.)

ORDER

TENNESSEE VALLEY AUTHORITY,)

_____**Defendant.**)

THIS MATTER is before the Court on Plaintiff's Motion Requesting a Deadline for Motions in Limine Regarding Scientific Evidence and Motion to Amend the Case Management Plan to Allow for Additional Expert Witnesses, and Set Deadlines for Exchange of Exhibit and Witness Lists and other Motions in Limine, filed December 10, 2007. Defendant filed a response on December 17, 2007, to which Plaintiff replied on December 19, 2007. For the reasons stated in the motion and responses and for cause shown,

IT IS, THEREFORE, ORDERED that the Court's Pretrial Order and

Case Management Plan is **AMENDED** as follows:

1. Any motions in limine regarding scientific evidence shall be filed no later than February 15, 2008;
2. The parties are granted leave of Court to call up to 13 expert witnesses each at trial;
3. Witness and exhibit lists shall be exchanged by the parties 45 days before trial;
4. All other motions in limine shall be filed 30 days before trial.

The parties are advised that a final trial date will be set by the Court, depending upon the decision of the United States Court of Appeals for the Fourth Circuit, and taking into consideration the time limitations set forth in paragraphs 3 and 4 above.

Signed: December 21, 2007

A handwritten signature in black ink, appearing to read 'L. H. Thornburg', written over a horizontal line.

Lacy H. Thornburg
United States District Judge

